

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PATRICK MITCHEL, on behalf of himself and all
others similarly-situated,

Docket No.: 14-cv-02640(RRM)(LB)

Plaintiffs,

-against-

FORTRESS FS, LLC and THOMAS FORDE, an
individual,

Defendants.

**STIPULATION OF DISMISSAL
WITH PREJUDICE**

X

IT IS HEREBY STIPULATED, AGREED AND CONSENTED TO, by and between the undersigned, the attorneys of record in the above-captioned action, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the above-captioned action, that this action and any and all claims, cross-claims, counter-claims, and any and all claims that were or could have been asserted by, between and against any of the parties herein, be, and the same hereby are, dismissed in their entirety **with prejudice** without costs to any party, as against the other.

IT IS HEREBY FURTHER STIPULATED, AGREED TO AND CONSENTED TO, that this stipulation may be executed in any number of counterparts, all of which counterparts, taken together, shall constitute one and the same instrument;

IT IS HEREBY FURTHER STIPULATED, AGREED TO AND CONSENTED TO, that facsimile signatures to this stipulation may be treated as original signatures; and

IT IS HEREBY FURTHER STIPULATED, AGREED TO AND CONSENTED TO, that this Stipulation may be submitted to the court without further notice to any party.

Dated: August 6, 2015

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Dated: August 4, 2015

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